

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

ROBERT SAMPSON,

Plaintiff,

v.

NATIONAL BOARD OF MEDICAL
EXAMINERS,

Defendant.

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CIVIL ACTION NO. 2:22-cv-05120 JMA

MOTION FOR PRELIMINARY INJUNCTION

Plaintiff Robert Sampson (“Sampson”) is a student with a disability who is 40 weeks away from earning his medical degree from the State University of New York at Stony Brook (“Stony Brook”). He needs to take and pass Step 1 of the United States Medical Licensing Examination (“USMLE”) before he can continue on in his education and complete his last 40 weeks towards his medical degree. However, the National Board of Medical Examiners (“NBME”) has denied Sampson the testing accommodations all evaluating experts and Stony Brook have agreed he needs to demonstrate his knowledge on Step 1. Therefore, Sampson moves this Court for a preliminary injunction requiring the NBME to provide double testing time over two days and extended breaks on Step 1 of the USMLE as required by the Americans with Disabilities Act, 42 U.S.C. § 12101, *et seq.*, and section 504 of the Rehabilitation Act, 29 U.S.C. § 794. Absent such relief, Sampson will be dismissed from medical school and his medical career will be over.

WHEREFORE, to prevent irreparable harm and for the reasons stated in Sampson’s Memorandum in Support of this Motion, Sampson seeks a preliminary injunction to require the

NBME to provide the testing accommodations he needs because of his disability on Step 1 of the USMLE.

Respectfully submitted,

s/Mary C. Vargas
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CERTIFICATE OF SERVICE

The undersigned served a true and correct copy of the foregoing was served via the Court's CM/ECF system on September 20, 2022, on the following counsel of record for NBME:

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s/Mary C. Vargas
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